

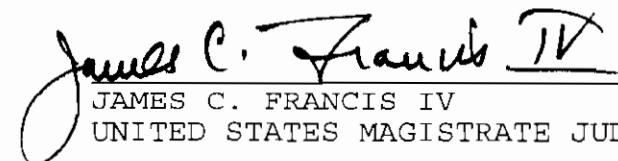
THOMAS J. McMANAMON, : 07 Civ. 10575 (BSJ) (JCF)
Plaintiff, :
: O R D E R
- against - :
: THE CITY OF NEW YORK DEPARTMENT OF :
CORRECTIONS; COMMANDING OFFICER :
JACKSON, A.I.U.; CAPTAIN SUMMER, :
A.I.U.; and ASSISTANT COMMISSIONER :
ALAN VENGERSKY, Department of :
Corrections, :
Defendants. :
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JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Thomas J. McManamon, the pro se plaintiff in this case, has applied for appointment of counsel. The threshold consideration in ruling on such an application is a showing of some likelihood of merit. Cooper v. A. Sargent Co., 877 F.2d 170, 172-74 (2d Cir. 1989). Mr. McManamon has not yet met this standard. No substantial discovery has yet been taken. If discovery reveals a factual basis for the plaintiff's claims, he can reapply for appointment of counsel.

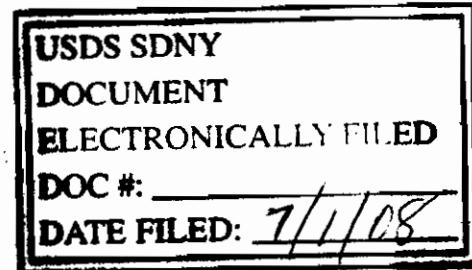
Accordingly, the plaintiff's motion is denied with leave to renew if discovery reveals a basis for doing so.

SO ORDERED.



JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
July 1, 2008



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